

the matter to the United States attorney for the Western District of Pennsylvania.

On July 22, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 40 bottles of Dr. Fenner's St. Vitus dance medicine at Pittsburgh, Pa., alleging that the article had been shipped by S. C. Wells & Co., from Le Roy, N. Y., in various consignments, on or about February 11, March 20, May 8, May 12, and May 15, 1930, respectively, and had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of compounds of arsenic and potassium, extracts of plant drugs, volatile oils including lavender and cassia oils, alcohol, and water.

It was alleged in substance in the libels that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing on the bottle label and in the accompanying circular, together with certain testimonials in said circular recommending the preparation for St. Vitus dance, were false and fraudulent: (Bottle label) "St. Vitus Dance Medicine;" (circular) "St. Vitus Dance Remedy * * * Chorea, or St. Vitus Dance is a disease that happily is of rare occurrence. It consists of a tendency to involuntary and irregular muscular contractions of the limbs and face, the mind and functions of the brain being generally quite unaffected. The spasms of Chorea differ from those of most other convulsion affections in being unaccompanied either by pain or by rigidity; being in fact momentary jerking movements, indicating a want of control of the will over the muscles rather than any real excess of their contractions. Chorea is a disease more common among children, occurring generally between the ages of five and twenty. It is also more commonly found in girls. The disease is confined generally to Northern latitude. Dr. Fenner's St. Vitus Dance Remedy has been exceptionally successful in the treatment of this malady. * * * St. Vitus Dance is an extremely serious ailment so that the most careful attention should be given to the administration of the medicine, following the directions carefully."

On September 9, 1930, no claimant having appeared for the property, judgments of condemnation were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17632. Misbranding of Potaska. U. S. v. 12 Bottles of Potaska. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24779. I. S. No. 027956. S. No. 3144.)

Examination of samples of a drug product known as Potaska, from the herein described interstate shipment having shown that the labels bore certain curative and therapeutic claims that were not justified by its composition, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of New York.

On July 2, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 12 bottles of Potaska at Albany, N. Y., alleging that the article had been shipped by F. M. Pease & Son, from Lee, Mass., on or about February 10, 1930, and had been transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an ammonium compound, gualac resin, potassium chlorate, volatile oils including lemon and lavender oils, sugar, alcohol, and water.

The article was labeled in part: (Bottle) "Sore Throat, Bronchitis, Hoarseness * * * Do not rinse the throat after using the Specific;" (carton) "Potaska does not claim to cure All The Ills that flesh is heir to, but Claims Only what it has done and is doing every day * * * Sore Throat, Catarrh, Bronchitis * * * Hoarseness, Quinsy * * * Potaska * * * A specialty for Sore Throats."

It was alleged in the libel that the article was misbranded in that the above-quoted statements regarding the curative and therapeutic effects of the said article, borne on the labels, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 15, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17633. Misbranding of Inhalex. U. S. v. 30 Bottles of Inhalex. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24528. I. S. No. 015734. S. No. 2828.)

An examination of samples of a drug product known as Inhalex from the herein described interstate shipment, having shown that the article bore labels containing certain curative and therapeutic claims that it was incapable of producing and that the labels bore no statement of the amount of alcohol contained in the article, the Secretary of Agriculture reported the matter to the United States attorney for the District of Delaware.

On or about February 15, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 30 bottles of Inhalex, remaining in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by the Li Roth Research Laboratories (Inc.), from Philadelphia, Pa., on or about November 21, 1929, and had been transported from the State of Pennsylvania into the State of Delaware, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of formaldehyde (6.5 per cent), volatile oils, including menthol (27.0 per cent), alcohol (38.7 per cent), and water.

It was alleged in the libel that the article was misbranded in that the package and label did not bear a statement of the alcoholic content. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the bottle and carton labels and in the accompanying folder and leaflet, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "For * * * Throat Affections;" (carton) "Sore Throat, La Grippe, Sinus, Catarrh * * * for * * * Throat Affections * * * Sufferers from LaGrippe, * * * Sinus Catarrh, Sore Throat, Asthma, Rose and Hay Fevers find instantaneous relief in this marvel Inhalex;" (folder) "A * * * Cough No Ills * * * Sinus Catarrh * * * Sore Throat * * * La Grippe * * * Ready relief for sufferers from * * * catarrh, sinus, sore throat, asthma, la grippe * * * and other allied ailments due directly or indirectly to the respiratory organs. Hay and Rose fever sufferers upon application of Inhalex find instantaneous relief. Medical advisors through the country have sponsored and acclaimed Inhalex for its immediate relief effects due to inflammations * * * of the air passages. * * * Direct Methods of Application * * * Obstinate cases of catarrh, sinus, asthma, etc. * * * Age No Criterion Infants * * * croup * * * Children * * * Those suffering from * * * sore throat, coughs * * * etc. * * * Send Your Children to School and Play Accompanied With a Drop of Inhalex and Have An Assured Health Protection. Adults—Place a few drops of Inhalex * * * and inhale immediately in a severe case. * * * A Drop of Inhalex Means Tons of Relief;" (leaflet) "And you have Instant relief from * * * Coughs and even worse. * * * The Ideal * * * Inhalant—Instantly relieves * * * Catarrh, Sinus and Asthma. * * * Instant relief for Sore Throat."

On June 30, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17634. Misbranding of Lung Saver. U. S. v. 12 Dozen Bottles of Lung Saver. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24531. I. S. No. 015744. S. No. 2809.)

An examination of samples of a drug product known as Lung Saver, having shown that the labels bore claims of curative and therapeutic effects that it was incapable of producing and that the labels failed to bear a correct statement of the quantity or proportion of chloroform contained in the article, the Secretary of Agriculture reported the matter to the United States attorney for the District of Delaware.